IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 23545 of 2004

Between:

G. Anil Kumar, S/o. Komuraiah,
R/o. H.No. 3-10-164, Reddy Colony, Hanamkonda,
Warangal District.

..... PETITIONER

AND

1 The Superintendent of Police, Warangal, Warangal District.
2 The Sub Divisional Police Officer, Warangal(Town), Warangal District.
3 The Station House Officer, Police Station Jangaon (Town), Jangaon, Warangal, Warangal District.
4 The Station House Officer, Police Station Hanamkonda, Warangal, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not closing the rowdy sheet opened against the Petitioner about 4 years back without any review, though the Petitioner is not involved in any Criminal Case for last 4 years as illegal and arbitrary and in violation of Police Standing Order 742 and Article 21 of the Constitution of India and consequently direct the Respondents to close the rowdy sheet opened against the Petitioner in Police Station, Hanamkonda, Warangal District.

Counsel for the Petitioner : Mr.A.PRABHAKAR RAO

Counsel for the Respondents : G.P. FOR HOME

The Court made the following :

ORDER:

The respondents opened a rowdy sheet against the petitioner on account of his involvement in several cases in the year 2000. The petitioner states that all those cases registered against him ended in acquittal, and despite the same, the respondents are continuing the rowdy sheet. He seeks a direction to the respondents to discontinue the same.

A counter affidavit is filed on behalf of respondents, narrating the circumstances, under which the rowdy sheet is being maintained. According to them, even after acquittal of the petitioner in the cases that were registered against him, he is continuing as anti-social element, and the victims are not coming forward to complain against the petitioner out of fear.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Opening of rowdy sheet is provided for under clause 742 of A.P. Police Standing Orders. It is competent for the Police to open a rowdy sheet, in case any individual is involved in any criminal cases of grave nature. The record discloses that the petitioner was involved in Crime Nos.54/99, 32/2000 and 83/2000. Out of them, first and last cases are for the offence under Section 307 I.P.C., and second one is for the offence under Sections 452 and 506 I.P.C. It is not in dispute that the petitioner was acquitted in Crime Nos.32/2000 and 83/2000, and the order in Crime No.54/99, imposing a fine of Rs.12,000/-, was set aside by this Court.

In that view of the matter, there does not exist any necessity for continuance of rowdy sheet against the petitioner. If the petitioner

continues his activities, steps can certainly be taken against him, depending upon the complaints received against him, or cases registered by opening the rowdy- sheet once again.

For the foregoing reasons, the writ petition is disposed of, directing the respondents to discontinue the rowdy sheet against the petitioner, and it shall be permissible to open the same, in case of complaints involving the offences of grave nature are received against the petitioner. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Date: 23.2.2005

Note: C.C. in one week.
B/o
DA

To

1 The Superintendent of Police, Warangal, Warangal District.
2 The Sub Divisional Police Officer, Warangal(Town), Warangal District.
3 The Station House Officer, Police Station Jangaon (Town), Jangaon, Warangal, Warangal District.
4 The Station House Officer, Police Station, Hanamkonda, Warangal, Warangal District.
5 Two CCs to the G.P. for Home, High Court Buildings, Hyderabad (OUT).
6 Two CD copies.